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Subject: Early Communications
Date: Wednesday, April 20, 2016 10:07:50 AM

Hi Mary and Emily

As you know, EPA inspected the Stavis Seafoods Inc. facility located at 7 Channel Street in Boston on March 24, 2016, following an ammonia release from the facility's refrigeration system the previous day. EPA conducted a second inspection with an ammonia refrigeration expert on April 6. These inspections revealed numerous dangerous conditions associated with the facility's ammonia refrigeration system, which were described to you at the close of EPA's inspections.

Representatives of Stavis Seafoods and American Refrigeration have asked when the facility will be able to resume operations. We are sensitive to the fact that Stavis's operations and workforce are on hold at this time, but we also must consider the potential dangers posed to Stavis's employees and the surrounding community if certain issues are not addressed before operations resume (assuming Stavis wants to use the existing refrigeration system). With that in mind, we are working as quickly as possible to prepare inspection reports, which will describe the dangerous conditions observed, prepare photo logs for hundreds of photographs, coordinate with OSHA, and notify the company as to what next steps will be required if Stavis chooses to resume operations using its current refrigeration system.

As soon as possible, EPA plans to issue an early warning letter that will provide you with early notice of potential violations of the Clean Air Act and what EPA expects in terms of immediate next steps to return to compliance should the company resume operations using the current System. Those steps will then be more specifically described in a forthcoming compliance order. Due to the number and complexity of the issues, we expect it could be several weeks before EPA is able to issue this early warning letter, and several additional weeks before a compliance order can be issued. However, in order to provide you with as much time as possible to act, we are providing advanced notice that EPA will likely require Stavis to take the following steps if Stavis wishes to resume operations using the current refrigeration system:

- Hire professional, qualified contractors with expertise in designing ammonia refrigeration systems and conducting process hazard analyses/reviews ("Hazard Reviews") and who are familiar with the industry codes and standards that apply to ammonia refrigeration facilities;
- Develop P&IDs, signed by a professional engineer, in preparation for performing a Hazard Review of the system and addressing the hazards;
- Conduct a Hazard Review of the system, following industry standards and guidance and specifically addressing the dangerous conditions identified during EPA's inspections (which were described to you at the close of EPA's inspections and will be listed in EPA's forthcoming early warning letter), as well as any other hazards that your contractors identify;
- Provide U-1A forms for all pressure vessels in the refrigeration system, or otherwise demonstrate that the pressure vessels in the refrigeration system meet state regulations and industry standards; and
- Submit a work plan and schedule for correcting the hazards identified in the Hazard Review. Please note that OSHA, the Boston Fire Department, or other regulatory agencies may require additional

work to be completed before and/or after the facility's operations resume.

Again, we are dedicating significant resources to this matter and working as quickly as possible to move this matter forward. In the meantime, we wanted to provide you with the information above to keep you informed of next steps and to give you as much time as possible to conduct the work that will be required if Stavis chooses to continue using this particular refrigeration system.

We will be in touch soon with further developments. In the meantime, if you have any questions, please feel free to contact me or Mary Jane O'Donnell or have your attorney contact Catherine Smith, Esq. using the contact information provided below.

Sincerely,

Len

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